

ILLINOIS POLLUTION CONTROL BOARD
June 6, 1991

CITIZENS UTILITIES COMPANY)	
OF ILLINOIS,)	
)	
Petitioner,)	
)	
v.)	PCB 85-140
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

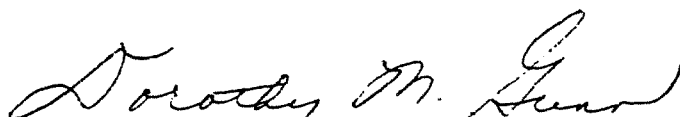
ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board on a motion to vacate order and decide this matter on petitioner's brief filed June 3, 1991 by Citizens Utilities Company (Citizens). On June 6, 1991, the Illinois Environmental Protection Agency (Agency) filed its response. Because the Agency's brief is due to be filed no later than June 10, 1991, the Board today rules on Citizens' motion.

The Agency correctly notes in its response that Citizens agreed to two prior Agency motions for extension of time. The Agency recognizes the delay in filing its brief, but states that the attorney assigned to this case recently had a death in the family and has been diligently working to catch-up with the backlog created by her absence. Based upon the extreme circumstances presented here, Citizens' motion to vacate the prior Board order and decide this case without the Agency's brief is hereby denied.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 6th day of June, 1991 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board